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TO: Commissioner for Patents
Attn: Examiner O. Naday
Patent Examining Corps
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Washington, D.C. 20231

FROM: Curtis B. Hamre

OUR REF: 10233.0081USW1
TELEPHONE: (612) 332-5300

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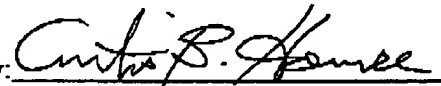
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Supplemental Information Disclosure
Statement, Form 1449, 1 reference and a
European Office Action

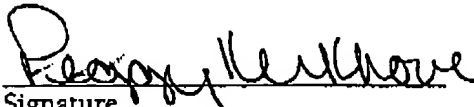
Applicant: Kazuhisa Sakamoto
Serial No.: 09/208,105
Filed: November 25, 1998
Group Art Unit: 2811
Our Ref. No.: 10233.0081USW1

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Peggy Kerkhove


Signature

September 27, 2004
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S/N 09/208,105

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	SAKAMOTO	Examiner:	O. Nadav
Serial No.:	09/208,105	Group Art Unit:	2811
Filed:	November 25, 1998	Docket No.:	10233.81USW1
Title:	SEMICONDUCTOR DEVICE WITH METAL WIRE LAYER MASKING		

CERTIFICATE UNDER 37 C.F.R. 1.8(b):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on September 27, 2004.

By: 
Name: Peggy KerkhoveSUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in a European Office Action mailed June 28, 2004. The additional references listed in the European Office Action were previously cited.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

Certification Under 37 C.F.R. § 1.97(e)(1)

In accordance with 37 C.F.R. § 1.97(c) or § 1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication

from a foreign patent office in a counterpart foreign application within three months of filing this statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. §1.98(a)(3)):

An English abstract has been included for the Japanese references.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612)332.5300

Dated: September 27, 2004

By: 

Curtis B. Hamre
Reg. No.: 29,165

CBH/pjk

23552

PATENT TRADEMARK OFFICE

Date Mailed: September 27, 2004

Sheet 1 of 1

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 10233.81USW1	Application Number: 09/208,105
	Applicant: SAKAMOTO	
	Filing Date: November 25, 1998	Group Art Unit: 2811

[illegible]

23552

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

*Substitute Disclosure Statement Form (PTO-1449)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE



EPAEPO/DEB
D-80298 München
+49 89 2399-0
TX 529 656 epmu d
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BERESFORD & Co.
16 High Holborn
London WC1V 6BX
ROYAUME-UNI

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30 JUN 2004

BERESFORD & Co

Telephone numbers: Branch at The Hague

Primary Examiner (substantive examination) +31 70 340-3352

Formalities Officer / Assistant (Formalities and other matters) +31 70 340-2264

COPY



Application No. 98 910 997.0 - 1235	Ref. JDC/LT/5288430	Date 28.06.2004
Applicant ROHM CO., LTD.		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



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GELEBART J F M
Primary Examiner
for the Examining Division

Enclosure(s): 4 pages reasons (Form 2906)

Entered By:	Q
Due:	28/10/2004
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Checked By:	AM

Registered Letter

EPO Form 2001 07.02CSX



Bescheld/Protokoll (Anlage)

Communication/Minutes (Annex)

Notification/Procès-verbal (Annexe)

Datum
Date 28.06.2004
Date

Blatt
Sheet 1
Feuille

Anmelde-Nr.:
Application No.: 98 910 997.0
Demande n°:

The examination is being carried out on the following application documents:

Text for the Contracting States:
DE FR NL

Description, pages:

1-14 as originally filed

Claims, No.:

1-8 as originally filed

Drawings, sheets:

1/10-10/10 as originally filed

The following documents are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

- D1: US-A-4 134 778 (SHENG WILLIAM W ET AL) 16 January 1979 (1979-01-16)
- D2: PATENT ABSTRACTS OF JAPAN vol. 014, no. 070 (E-0886), 8 February 1990 (1990-02-08) -& JP 01 287965 A (MITSUBISHI ELECTRIC CORP), 20 November 1989 (1989-11-20)
- D3: PATENT ABSTRACTS OF JAPAN vol. 013, no. 198 (E-756), 11 May 1989 (1989-05-11) -& JP 01 019771 A (FUJI ELECTRIC CO LTD), 23 January 1989 (1989-01-23)
- D4: ESAKI H ET AL: 'A 900 MHz 100 W VD-MOSFET with silicide gate self-aligned channel' INTERNATIONAL ELECTRON DEVICES MEETING. TECHNICAL DIGEST (CAT. NO. 84CH2099-0), SAN FRANCISCO, CA, USA, 9-12 DEC. 1984, pages 447-450, XP002270059 1984, New York, NY, USA, IEEE, USA
- D5: US-A-5 169 793 (YAMAMOTO TSUYOSHI ET AL) 8 December 1992 (1992-

Search
Report
A

B

C

a

D



Bescheld/Protokoll (Anlage)

Communication/Minutes (Annex)

Notification/Procès-verbal (Annexe)

Datum
Date 28.06.2004Blatt
Sheet 2
FeuilleAnmelde-Nr.:
Application No.: 98 910 997.0
Demande n°:

12-08)

D6: EP-A-0 213 972 (SILICONIX INC) 11 March 1987 (1987-03-11)

D7: US-A-4 682 195 (YILMAZ HAMZA) 21 July 1987 (1987-07-21)

D8: JP-A-54002076E
F

1. The application does not meet the requirements of Article 84 EPC, because claims 1-7 are not clear:

The clause "to be irradiated with radiating rays" refers to the process of irradiation. Hence, it refers to a process, thus introducing a lack of clarity in a device claim. Furthermore, it is not apparent to the person skilled in the art which constructional characteristic a region to be irradiated should have.

Consequently, said clause jeopardizes the clarity of the independent device claims 1 and 5.

Similarly, the clause "to be irradiated" jeopardizes the clarity of claims 2-4, 6 and 7.

In claim 1, the clause "so as to allow....irradiated" also lacks clarity as it refers to a process.

In claim 5, the clause "is used as a mask for....irradiated" also lacks clarity as it refers to a process.

Claim 4 further lacks clarity as it is not known to the person skilled in the art how thick or thin the metal layer should be in order to avoid any adverse effect on the non-irradiated regions.

2. Claims 1 and 5 have been drafted as separate independent claims.

Under Article 84 in combination with Rule 29(2) EPC an application may contain more than one independent claim in a particular category only if the subject matter claimed

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